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**STATE OF IOWA**

# **Senate Journal**

**THURSDAY, JANUARY 28, 2016**

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# JOURNAL OF THE SENATE

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EIGHTEENTH CALENDAR DAY  
TWELFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 28, 2016

The Senate met in regular session at 9:03 a.m., Senator Dvorsky presiding.

Prayer was offered by Pastor Terry Pollard of the New Sharon United Methodist Church in New Sharon, Iowa. He was the guest of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mitchell Sinclair.

The Journal of Wednesday, January 27, 2016, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 27, 2016, **insisted** on its amendment to [Senate File 174](#), a bill for an act establishing the state percent of growth, and the conference committee members on the part of the House are: the representative from Ringgold, Representative Dolecheck; the representative from Woodbury, Representative Jorgensen; the representative from Linn, Representative Stanerson; the representative from Clayton, Representative Ruff; the representative from Scott, Representative Winckler.

ALSO: That the House has on January 27, 2016, **insisted** on its amendment to [Senate File 175](#), a bill for an act establishing the categorical state percent of growth, and the conference committee members on the part of the House are: the representative from Ringgold, Representative Dolecheck; the representative from Woodbury, Representative Jorgensen; the representative from Linn, Representative Stanerson; the representative from Clayton, Representative Ruff; the representative from Scott, Representative Winckler.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on [Senate File 174](#) on the part of the Senate: Senators Bowman, Chair; Dvorsky, Kraayenbrink, Quirmbach, and Sinclair.

The Chair announced the following conference committee on [Senate File 175](#) on the part of the Senate: Senators Bowman, Chair; Dvorsky, Kraayenbrink, Quirmbach, and Sinclair.

## IMMEDIATELY MESSAGED

**Senate Files 174 and 175** were **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:20 a.m. until 9:00 a.m., Friday, January 29, 2016.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 28, 2016.

#### DEPARTMENT OF JUSTICE

Attorney General's Annual Report of the Mortgage Servicing Settlement Fund, pursuant to 2012 Iowa Acts, [HF 2465](#), section 7, chapter 4(a). Report received on January 27, 2016.

#### DEPARTMENT OF PUBLIC HEALTH

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on January 28, 2016.

## DEPARTMENT OF REVENUE

Iowa Capital Investment Board Annual Report, pursuant to Iowa Code section 15E.63(9). Report received on January 28, 2016.

## CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Lillian Nelson, Davenport—For celebrating her 100<sup>th</sup> birthday. Senator Smith.

## REPORTS OF COMMITTEE MEETINGS

## AGRICULTURE

**Convened:** Thursday, January 28, 2016, 12:00 p.m.

**Members Present:** Seng, Chair; Ragan, Vice Chair; Zumbach, Ranking Member; Anderson, Bowman, Brase, Hart, Kapucian, Kinney, Rozenboom, Shipley, Soddors, and Taylor.

**Members Absent:** None.

**Committee Business:** Discussion.

**Adjourned:** 12:55 p.m.

## COMMERCE

**Convened:** Thursday, January 28, 2016, 1:00 p.m.

**Members Present:** Petersen, Chair; Anderson, Ranking Member; Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach.

**Members Absent:** McCoy, Vice Chair (excused).

**Committee Business:** Presentation by Nick Gerhart, Iowa Insurance Commissioner.

**Adjourned:** 1:25 p.m.

## ECONOMIC GROWTH

**Convened:** Thursday, January 28, 2016, 2:05 p.m.

**Members Present:** Hart, Chair; Soddors, Vice Chair; Bisignano, Bowman, Breitbach, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** Chelgren, Ranking Member; Anderson, Chapman, and Danielson (all excused).

**Committee Business:** Presentation by Eric Engleman, Iowa Startup Accelerator.

**Adjourned:** 2:40 p.m.

#### HUMAN RESOURCES

**Convened:** Wednesday, January 27, 2016, 3:05 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

**Members Absent:** Johnson, Ranking Member; and Chelgren (both excused).

**Committee Business:** Presentation on the Ombudsman Alliance from Deanna Clingan-Fischer, State Long Term Care Ombudsman.

**Adjourned:** 4:00 p.m.

#### RULES AND ADMINISTRATION

**Convened:** Thursday, January 28, 2016, 9:20 a.m.

**Members Present:** Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Courtney, Dearden, Dvorsky, Guth, Ragan, and Whitver.

**Members Absent:** Chapman and Soddors (both excused).

**Committee Business:** Governor's appointees.

**Adjourned:** 9:35 a.m.

#### STATE GOVERNMENT

**Convened:** Wednesday, January 27, 2016, 2:05 p.m.

**Recessed:** 2:10 p.m.

**Reconvened:** 2:20 p.m.

**Members Present:** Danielson, Chair; Courtney, Vice Chair; Bertrand, Ranking Member; Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

**Members Absent:** None.

**Committee Business:** Deferred [SF 508](#); approved [SSB 3016](#); presentation by Paul Pate, Secretary of State.

**Adjourned:** 3:00 p.m.

#### TRANSPORTATION

**Convened:** Wednesday, January 27, 2016, 3:05 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Horn, Kraayenbrink, Quirmbach, and Smith.

**Members Absent:** Dearden, Feenstra, and McCoy (all excused).

**Committee Business:** Presentation on Insurance Verification by Vice President Bart Blackstock of Insure-rite.

**Adjourned:** 3:55 p.m.

#### VETERANS AFFAIRS

**Convened:** Thursday, January 28, 2016, 11:35 a.m.

**Members Present:** Horn, Chair; Mathis, Vice Chair; Segebart, Ranking Member; Allen, Costello, Danielson, Hart, Ragan, Rozenboom, and Sodders.

**Members Absent:** Chelgren (excused).

**Committee Business:** Discussed [SSB 3041](#). Presentations by Jim O'Keefe, NCAG President; and Troy Miller, MFA, Art Director with the University of Nebraska.

**Adjourned:** 11:50 a.m.

#### ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, January 28, 2016, 10:05 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Allen, and Guth.

**Members Absent:** Zumbach, Ranking Member (excused).

**Committee Business:** DAS and ODCP presentations.

**Adjourned:** 11:00 a.m.

#### ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, January 28, 2016, 10:05 a.m.

**Members Present:** Dotzler, Chair; Hart, Vice Chair; Schneider, Ranking Member; and Smith.

**Members Absent:** Bisignano (excused).

**Committee Business:** Presentations on Governor's FY 2017 budget recommendations.

**Adjourned:** 11:00 a.m.

#### EDUCATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, January 28, 2016, 10:05 a.m.

**Members Present:** Schoenjahn, Chair; Quirnbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentation by Dr. Ryan Wise, Director of the Department of Education.

**Adjourned:** 10:30 a.m.

#### HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, January 28, 2016, 10:10 a.m.

**Members Present:** Ragan, Chair; Bolkcom, Vice Chair; Segebart, Ranking Member; Dvorsky, and Johnson.

**Members Absent:** None.

**Committee Business:** MHDS Commission and County Mental Health Regions updates.

**Adjourned:** 11:35 a.m.

#### INTRODUCTION OF BILLS

[Senate File 2069](#), by committee on State Government, a bill for an act requiring a demolition reserve on certain fire and casualty insurance claims on property located in the unincorporated area of a county.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2070](#), by Dvorsky, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 2071](#), by Kinney, a bill for an act relating to the temporary delegation of parental rights by the parent or legal custodian of a child.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 2072](#), by Dvorsky, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 2073](#), by committee on Veterans Affairs, a bill for an act relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

Read first time under Rule 28 and **placed on calendar**.

#### STUDY BILLS RECEIVED

[SSB 3072](#)      **Human Resources**

Relating to public health including public health modernization and boards of health.

[SSB 3073](#)      **Human Resources**

Requiring immunization against meningococcal disease for certain students.

[SSB 3074](#)      **Appropriations**

Relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

[SSB 3075](#)      **State Government**

Relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

[SSB 3076](#)      **Judiciary**

Allowing the formation of certain for-profit corporations as benefit corporations authorized to do business in this state under certain conditions.

[SSB 3077](#)      **Judiciary**

Relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.



## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2056](#)

COMMERCE: Courtney, Chair; Allen and Sinclair

[Senate File 2064](#)

STATE GOVERNMENT: Horn, Chair; Courtney and Johnson

[Senate File 2065](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Brase and Rozenboom

[Senate File 2066](#)

EDUCATION: Bowman, Chair; Kraayenbrink and Mathis

[Senate File 2068](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Brase and Rozenboom

[SSB 3072](#)

HUMAN RESOURCES: Wilhelm, Chair; Segebart and Taylor

[SSB 3073](#)

HUMAN RESOURCES: Taylor, Chair; Allen and Chelgren

[SSB 3074](#)

APPROPRIATIONS: Dvorsky, Chair; Chapman, Danielson, Ragan and Segebart

[SSB 3075](#)

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

[SSB 3076](#)

JUDICIARY: Petersen, Chair; Quirmbach and Schneider

[SSB 3077](#)

JUDICIARY: Hogg, Chair; Garrett and Horn

## FINAL COMMITTEE REPORTS OF BILL ACTION

## STATE GOVERNMENT

**Bill Title:** [SENATE FILE 2069 \(SSB 3016\)](#), a bill for an act requiring a demolition reserve on certain fire and casualty insurance claims on property located in the unincorporated area of a county.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Danielson, Courtney, Bertrand, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## VETERANS AFFAIRS

**Bill Title:** [SENATE FILE 2073 \(SSB 3041\)](#), a bill for an act relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Horn, Mathis, Segebart, Allen, Costello, Danielson, Ragan, Rozenboom, and Soddors. Nays, none. Absent, 2: Chelgren and Hart.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNORTERM

BANKING, SUPERINTENDENT OF (Sec. 524.201)

Ron Hansen, Durant

11/16/2015 – 04/30/2017

CIVIL RIGHTS COMMISSION, DIRECTOR OF THE IOWA STATE (Sec. 216.3)

Kristin Johnson, Clive

05/20/2015 – Pleasure of the Governor

EDUCATION, DIRECTOR OF THE DEPARTMENT OF (Sec. 256.8)

Dr. Ryan Wise, Des Moines

07/01/2015 – Pleasure of the Governor

## LAW ENFORCEMENT ACADEMY, DIRECTOR OF (Sec. 80B.5)

Judy Bradshaw, Urbandale

07/01/2015 – Pleasure of the Governor

## COUNTY FINANCE COMMITTEE (Sec. 333A.2)

David Farmer, Davenport

06/23/2015 – 04/30/2017

## DEAF SERVICES, COMMISSION OF (Sec. 216A.113)

Nathaniel Garrels, Emmetsburg

06/24/2015 – 04/30/2019

## EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Kathy Behrens, Carroll

05/28/2015 – 04/30/2018

## PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)

Donald Hansen, Des Moines

06/24/2015 – 04/30/2016

## PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)

Mary Gannon, Des Moines

01/04/2016 – 04/30/2016

## TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

George Belitsos, Ames

12/08/2015 – 04/30/2017

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON  
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 28, 2016:

**COMMERCE**

Ron Hansen – Superintendent of Banking

**EDUCATION**

Dr. Ryan Wise – Director of the Department of Education

Kathy Behrens – Board of Educational Examiners

**HUMAN RESOURCES**

George Belitsos – Commission on Tobacco Use Prevention and Control

**JUDICIARY**

Kristin Johnson – Director of the Iowa State Civil Rights Commission

Judy Bradshaw – Director of Law Enforcement Academy

**LABOR AND BUSINESS RELATIONS**

Donald Hansen – Plumbing and Mechanical Systems Examining Board

Mary Gannon – Public Employment Relations Board

**LOCAL GOVERNMENT**

David Farmer – County Finance Committee

**STATE GOVERNMENT**

Nathaniel Garrels – Commission of Deaf Services

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 28, 2016, to investigate the appointment and reappointment of the following appointees:

**COMMERCE**

As Superintendent of Banking:

Ron Hansen – Allen, Chair; Anderson and Soddors

**EDUCATION**

As Director of the Department of Education:

Dr. Ryan Wise – Quirnbach, Chair; Schoenjahn and Sinclair

As a member of the Board of Educational Examiners:

Kathy Behrens – Schoenjahn, Chair; Mathis and Schultz

**HUMAN RESOURCES**

As a member of the Commission on Tobacco Use Prevention and Control:

George Belitsos – Mathis, Chair; Jochum and Johnson

**JUDICIARY**

As Director of the Iowa State Civil Rights Commission:

Kristin Johnson – Quirnbach, Chair; Horn and Schneider

As Director of Law Enforcement Academy:

Judy Bradshaw – Petersen, Chair; Bisignano and Zaun

**LABOR AND BUSINESS RELATIONS**

As a member of the Plumbing and Mechanical Systems Examining Board:

Donald Hansen – Dearden, Chair; Bisignano and Shipley

As a member of the Public Employment Relations Board:

Mary Gannon – Courtney, Chair; Bisignano and Whitver

**LOCAL GOVERNMENT**

As a member of the County Finance Committee:

David Farmer – Brase, Chair; Quirnbach and Smith

**STATE GOVERNMENT**

As a member of the Commission of Deaf Services:

Nathaniel Garrels – Bowman, Chair; Dvorsky and Whitver